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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH,  
CENTRAL DIVISION

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FRANCOIS COEUR,

Plaintiff,

v.

ALLISON ROSE,

Defendant.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 2:17-cv-00882-RJS-EJF

Judge Robert J. Shelby

Magistrate Judge Evelyn J. Furse

This case was referred to Magistrate Judge Evelyn J. Furse pursuant to 28 U.S.C. § 626(b)(1)(B). Plaintiff Francois Coeur’s Complaint is difficult to comprehend.<sup>1</sup> The Magistrate Judge set a Status Conference to better understand Mr. Coeur’s Complaint.<sup>2</sup> Mr. Coeur did not appear at the Status Conference.<sup>3</sup>

The Magistrate Judge issued a Report and Recommendation on November 2, 2017, recommending the court dismiss Mr. Coeur’s Complaint without prejudice for failure to plead facts that would establish the court’s subject matter jurisdiction.<sup>4</sup> Neither party submitted an objection to the Report and Recommendation within the time allotted.<sup>5</sup> In the absence of an objection, the court may apply a “clearly erroneous” standard of review when evaluating a

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<sup>1</sup> Dkt. 3.

<sup>2</sup> Dkt. 13.

<sup>3</sup> Dkt. 18.

<sup>4</sup> Dkt. 36.

<sup>5</sup> See FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)–(c) (allowing parties fourteen days to file an objection to a report and recommendation from a magistrate judge).


Report and Recommendation. Under this standard, the court “will affirm the Magistrate Judge’s ruling unless [the court] . . . is left with the definite and firm conviction that a mistake has been committed.”<sup>6</sup>

After reviewing the record and relevant legal authorities, the court concludes the Magistrate Judge did not clearly err in her analysis. The court therefore ADOPTS the Report and Recommendation and dismisses Mr. Coeur’s Complaint without prejudice.

The Clerk of Court is directed to close the case.

SO ORDERED this 30th day of November, 2017.

BY THE COURT:

  
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ROBERT J. SHELBY  
United States District Judge

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<sup>6</sup> *Thompson v. Astrue*, 2010 WL 1944779, at \*1 (D. Utah May 11, 2010) (internal quotation marks and citations omitted).